

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UM 973

In the Matter of the Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services Provided by U S WEST Communications, Inc., in the State of Oregon

QWEST CORPORATION'S NOTICE OF UPDATED STATEMENT OF GENERALLY AVAILABLE TERMS AND CONDITIONS (NINTH REVISION)

Qwest Corporation ("Qwest") submits this notice of its updated Statement of Generally Available Terms and Conditions ("SGAT"), along with the SGAT itself, which is filed herewith. Qwest respectfully requests that the Commission allow this version of the SGAT (the "Ninth Revision SGAT"), which contains only limited revisions, to go into effect on April 1, 2003. The changes in the Ninth Revision SGAT include three revisions to the SGAT relating to loop qualification information.

Qwest proposes the addition of Section 9.2.2.2.1.1, which permits CLECs to obtain information on spare copper facilities where Qwest has deployed significant amounts of integrated digital loop carrier. Qwest originally proposed adding this provision to its Oregon SGAT in its Post-Hearing Brief for Workshop 4, Part 1 relating to Checklist Item 4,¹ but the Commission did not address this offer in its Workshop 4, Part 1 Findings and Recommendation Report of the Commission and Procedural Ruling (Feb. 5, 2002). Accordingly, Qwest was unclear whether it could add this provision to its SGAT. However, in its comments to the FCC on Qwest's application to provide in-region, interLATA services in Oregon, AT&T has raised a question why this provision was not included in the Oregon SGAT. Qwest has been and remains willing to include this provision in the SGAT, and asks the Commission to allow this additional language to become part of the SGAT.

¹ Qwest's Legal Brief Regarding Impasse Issues Relating To Checklist Item 4 (Unbundled Loops) (Workshop 4, Part 1, filed Sept. 7, 2001) at 32-33.

1 The remaining two changes are the result of commitments Qwest has made to permit
2 CLECs to audit Qwest's loop qualification databases, a commitment Qwest made in connection
3 with Section 271 applications for its first nine states and that Qwest committed to make in its
4 most recent application to provide in-region interLATA services in Oregon, New Mexico, and
5 South Dakota.

6 The only proposed changes to the SGAT are the addition of Sections 9.2.2.2.1.1, and
7 revisions to Section 9.2.2.8 and 18.1.1. The proposed text of the Section 9.2.2.2.1.1 and the
8 other revisions are shown in revision mark below:²

9 9.2.2.2.1.1 In areas where Qwest has deployed amounts of IDLC that
10 are sufficient to cause reasonable concern about a CLEC's ability to
11 provide service through available copper facilities on a broad scale, the
12 CLEC shall have the ability to gain access to Qwest information sufficient
13 to provide CLEC with a reasonably complete identification of such
14 available copper facilities. Qwest shall be entitled to mediate access in a
15 manner reasonably related to the need to protect confidential or proprietary
16 information. CLEC shall be responsible for Qwest's incremental costs to
17 provide such information or access mediation.

18 9.2.2.8 Loop Qualification Tools. Qwest offers five (5) Loop qualification
19 tools: the ADSL Loop Qualification Tool, Raw Loop Data Tool, POTS
20 Conversion to Unbundled Loop Tool, MegaBit Qualification Tool, and
21 ISDN Qualification Tool. These and any future Loop qualification tools
22 Qwest develops will provide CLEC access to Loop qualification
23 information in a nondiscriminatory manner and will provide CLEC the
24 same Loop qualification information available to Qwest. CLEC may
25 request an audit of Qwest's company records, back office systems and
26 databases pertaining to Loop information pursuant to Section 18 of this
Agreement.

18.1.1 "Audit" shall mean the comprehensive review of the books,
records, and other documents used in the Billing process for services

² Because all of the changes to the SGAT are specifically red-lined in the text of this Notice, Qwest is only filing a "clean" SGAT, and is not filing an entire red-lined SGAT.

performed, including, without limitation, reciprocal compensation and facilities provided under this Agreement. The term "Audit" also applies to the investigation of network databases supporting the Loop qualification tools. The term "Audit" also applies to the investigation of company records, back office systems and databases pertaining to Loop information.

This revised SGAT language responds to AT&T's comments to the FCC by including a provision Qwest offered to add to the Oregon SGAT in Workshop 4, Part 1. The additional language permitting CLECs to audit Qwest's loop qualification databases adopts a position that has been advocated by CLECs in various proceedings, including this Commission's Docket UM 823. All provisions provide CLECs with additional options and reflect commitments Qwest has included in the SGATs it has filed in other states.

For the foregoing reasons, Qwest respectfully requests that the Commission allow the Ninth Revision SGAT to go into effect on April 1, 2003.

RESPECTFULLY SUBMITTED this 21st day of February, 2003.

By: _____
Lawrence H. Reichman, OSB No. 86083
John P. Nusbaum, OSB No. 96378
PERKINS COIE LLP
1211 S.W. Fifth Avenue, Suite 1500
Portland, Oregon 97204-3715
(503) 727-2000
(503) 727-2222 (facsimile)

and

Alex Duarte, OSB No. 02045
Senior Attorney
Qwest Corporation
421 SW Oak Street, Room 810
Portland, OR 97204
(503) 242-5623
(503) 242-8589 (facsimile)

Attorneys for Qwest Corporation